

**REMARKS**

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1-14 are pending.

Claims 1, 2 and 8-11 stand rejected under 35 U.S.C. § 102 (e) as being anticipated by Lee. This rejection is respectfully traversed.

The claims relate to a host channel adapter configured for communication with target channel adapters in an InfiniBand™ server system.

The Examiner contends that Lee teaches a “host channel adapter”. A host channel adapter as described in the first and second paragraphs of page 2 of the specification is a device in the InfiniBand™ Architecture that implements the transport layer. Lee discloses a terminal adapter for Broadband Integrated Services Digital Network (BISDN) which connects an ATM network to a conventional communication device such as a telephone. ATM relates to the physical layer and the data link layer and cannot implement the transport layer. Thus, the adapter of Lee cannot be considered to be a host channel adapter.

With regard to claim 1, the Examiner contends that Lee determines an order of received work queue entries based on respective service levels, and outputs the received work queue entries according to the determined order. Lee does not even mention work queue entries. As described in the specification at page 5, lines 11-16, a work queue entry specifies a corresponding request, from a consumer application executed by a CPU, for a corresponding prescribed operation to be performed by a destination InfiniBand™ network

node. Furthermore, the claim requires determining an order of the work queue entry based on respective service levels. As noted at page 5, lines 17-21 of the specification, the InfiniBand™ Architecture Specification defines a service level attribute that permits a packet traversing the InfiniBand™ network to operate at one of sixteen available service levels. Examples of service levels are quality of service, priority, etc. The transmission priority determining priority block 22 of Lee does not teach or suggest determining an order of a work queue entry based on service levels since Lee does not teach an adapter in an InfiniBand™ network.

The Examiner contends that Lee generates in a transport service module for each of the received work queue entries according to the determined order, a corresponding transport layer header for corresponding transport data specified by each of the received work queue entries. Lee does not teach or suggest a transport service module in a host channel adapter, let alone, generating a transport layer header. The ATM cell of Lee is a fixed 53 bytes and does not include a transport layer header.

With regard to claim 9, the Examiner contends that Lee teaches host channel adapter. As noted above, Lee merely teaches an adapter for a BISND, which cannot be considered to be a host channel adapter. Furthermore, as mentioned above, Lee does not teach a transport service module configured for generating transport layer headers for work queue entries. Block 22 of Lee simply cannot generate a transport layer header.

Hence, the section 102 rejection should be withdrawn because it fails to demonstrate that the applied reference discloses each and every element of the claim. See MPEP 2131. "The identical

invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). "Anticipation cannot be predicated on teachings in the reference which are vague or based on conjecture." Studiengesellschaft Kohle mbH v. Dart Industries, Inc., 549 F. Supp. 716, 216 USPQ 381 (D. Del. 1982), aff'd, 726 F.2d 724, 220 USPQ 841 (Fed. Cir. 1984).

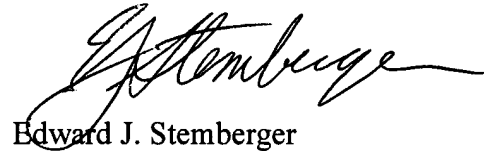
Claims 3, 4 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of Kamiya and claims 5 and 13 stand rejected as being unpatentable over Lee in view of Iwama et al. These claims depend from independent claims 1 and 9. As noted above, Lee does not teach or suggest the features of claims 1 and 9. The secondary references of Kamiya and Iwama et al. do not supply the deficiencies of Lee. Thus, the rejections should be withdrawn.

In view of the above, it is believed this application is in condition for allowance, and such a Notice is respectfully solicited.

Application No. 09/816,407 – Tzeng

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136.  
Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-0687, under Order No. 95-392, and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. Stemberger", written in a cursive style.

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**Date: November 16, 2004**